IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

Crl.Rev.Pet.No. 2085 of 2007()

CRA.76/2006 of ADDL. SESSIONS COURT, ALAPPUZHA
CC.56/2003 of JUDL.MAGISTRATE OF FIRST CLASS-II, CHERTHALA

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REVN. PETITIONER: APPELLANT/ACCUSED

K.P.SHAJI, AGED 35 YEARS,
S/O.PADMANABHAN, KALATHIL VEEDU,
EZHUPUNNA HALF, ERAMALLOOR P.O., CHERTHALA.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENTS: COMPLAINANT AND STATE

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1. ULNADAN MALSYA THOZHILALI VIKASANA
KSHEMA CO-OPERATIVE SOCIETY LTD.NO.F(A) 1-210,
AROOR PO, REPRESENTED BY ITS SECRETARY.

2. THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.2085 of 2007

Dated this the 29th day of May, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a compensation of Rs.25,000/- to the complainant vide Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for two months.

2. Counsel for the revision petitioner has only sought for modification of the sentence and time to pay the amount of compensation. It is submitted that the revision petitioner has also been convicted in three other cases also. In the circumstances, the sentence is modified to imprisonment till the rising of the court. The rest of the sentence is confirmed. Revision petitioner is granted six months' time from today onwards to remit the compensation amount. He shall appear before the Judicial First Class Magistrate Court-III, Cherthala on 30.11.2007 to receive the sentence. Non bailable warrant pending, if any, shall be kept in abeyance till 30.11.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl